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FILED BY THE BOARD OF  
SOCIAL WORK EXAMINERS

*February 23, 2011*  
*J. Michael Walker*  
*Exec. Director*

STATE OF NEW JERSEY  
Department of Law & Public Safety  
Division of Consumer Affairs  
State Board of Social Work Examiners

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

**Richard J. Mieliwocki**  
**License No. 44SL04509400**

TO PRACTICE SOCIAL WORK IN THE  
STATE OF NEW JERSEY

**Administrative Action**

Consent Order  
of Permanent Surrender  
of Licensure

This matter was opened to the New Jersey State Board of Social Work Examiners ("Board") upon receipt of information that Richard Mieliwocki was arrested on December 28, 2004 in the Township of Madison in the State of New Jersey on charges of criminal sexual contact and child endangerment.

On November 3, 2005, the Attorney General of New Jersey filed an Order to Show Cause and a Verified Complaint seeking the temporary suspension of Richard Mieliwocki's license to practice Social Work, based upon Indictment No. 05-08-01006-1, Superior Court of New Jersey Law Division - Criminal, Morris County. The Indictment alleged three counts of endangering the welfare of a

child, in violation of N.J.S.A. 2C:24-4A, and three counts of criminal sexual contact, in violation of N.J.S.A. 2C:14-3B. The allegations involving four adolescent males took place during the time Richard Mieliwocki was a counselor at the Daytop Adolescent Substance Abuse Program, Mendham, New Jersey.

On August 31, 2006, Richard Mieliwocki entered into an Interim Consent Order of Voluntary Surrender of Licensure with the Board whereby he agreed to immediately surrender his license to practice social work in the State of New Jersey and to cease and desist from such practice until further Order of the Board. He was required to file an Answer to the Verified Complaint within thirty days of the filing of the Interim Order, and did so on December 7, 2005.

On August 21, 2007, Richard Mieliwocki entered a plea of guilty to Indictment 05-07-01006-J before the Hon. Salem Vincent Ahto, J.S.C. of Morris County, New Jersey, namely two counts of Child Abuse (4th degree). Five counts of criminal sexual contact (4th degree) were dismissed. Judge Ahto recommended the following sentence: Five (5) years probation; a psycho-sexual evaluation with followup of any recommendations from said evaluation; and permanent forfeiture of his social work license. The sentence was to be non-custodial and not subject to the provisions of Megan's Law.

On August 21, 2007, as an integral element of his plea of guilty, Richard Mieliwocki executed an affidavit wherein he consented to relinquish his social work license, with the explicit understanding that the relinquishment will be deemed a revocation and will have the same force and effect as a revocation, with all attendant consequences as set forth in N.J.A.C. 6A:9-17.8. Further he agreed to waive any and all hearings to which he is entitled pursuant to N.J.S.A. 18A:6-38 and N.J.A.C. 6A:9-17.7 and agreed not to oppose the revocation of his license. He acknowledged that in executing the affidavit he agreed to never reapply to the New Jersey State Board of Social Work Examiners or any other public agency for certification for employment in the public interest of this state pursuant to N.J.S.A. 18A:6-38. An Order of Forfeiture of Public Office, in accordance with N.J.S.A. 2C:51-2a(1) and N.J.S.A. 2C:51-2d, ordered that he would be forever disqualified from holding any office of position of honor, trust or profit under this State or any of its political subdivisions. The relinquishment of his license was to take effect following a vote of acceptance by the State Board of Social Work Examiners.

On November 28, 2007 the Board of Social Work Examiners voted to permanently revoke the license of Richard Mieliwocki. The Interim Consent Order of Voluntary Surrender of Licensure specified that, upon receipt of information regarding the resolution of the criminal charges in Morris County, the Board was to determine

whether to retain the administrative case, transfer the administrative case to the Office of Administrative Law or take any other steps to resolve the underlying administrative matter. Based on the resolution of the criminal charges and the terms of the plea agreement, the Board determined to dispose of the allegations in the Verified Complaint in this Consent Order.

Parties desiring to resolve this matter without recourse to formal proceedings, and Richard Mieliwocki having waived his right to a formal hearing and having agreed to permanently surrender his license to practice social work, and the Board finding that the entry of this Order is adequately protective of the public health, safety and welfare, for good cause shown.

**IT IS**, therefore, on this 23<sup>rd</sup> day of February 2011,

**ORDERED THAT:**

1. Effective upon the date of filing of this Order, Richard Mieliwocki shall permanently surrender with prejudice his license to practice social work in the State of New Jersey. He understands and agrees that he will be precluded from seeking reinstatement of his L.S.W. license in this State at any time. His wall certificate and license that were returned to the Board under the terms of the Interim Consent Order filed August 21, 2006 shall be retained by the Board.

2. Richard Mieliwocki shall not practice as a certified, licensed, or licensed clinical social worker, as defined

in N.J.S.A. 45:15BB-4.

3. Richard Mieliwocki shall no longer engage in the provision of mental health services in any setting at any time in the State of New Jersey. According to this prohibition Richard Mieliwocki shall not practice social work or counseling or mental health services in any setting, including exempt settings from licensing and certification requirements defined in N.J.S.A. 45:15BB-5 and N.J.A.C. 13:44G-9.3, such as pastoral counseling and counseling work in a non-profit organization.

4. This Order shall be deemed and hereby is the final disposition of allegations in the Verified Complaint filed on November 3, 2005.

NEW JERSEY STATE BOARD OF  
SOCIAL WORK EXAMINERS

By: Doreen Bobby  
Doreen Bobby, LCSW  
President

DATED: February 7, 2011

I have read and I understand the terms of this Order and agree to be bound by it. I consent to the entry of this Order.

Richard J. Mieliwocki  
Richard J. Mieliwocki

Dated: February 7, 2011